

REMARKS

In the Office Action the Examiner noted that claims 1-17 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 1, 2, and 14 have been amended. No new matter has been presented. Thus, claims 1-17 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Objection To Drawings

In item 3 on page 2 of the Office Action the Examiner objected to the drawings of the present application. The Examiner alleged that only that which is old is illustrated in Figure 22.

By this Amendment, a Replacement Sheet has been submitted for Figure 22. Therefore, the Applicants respectfully request the withdrawal of the Examiner's objections to the drawings.

Claim Rejections Under 35 USC §103

In item 6 on pages 3-10 of the Office Action the Examiner rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0025832, issued to Swart et al. (hereinafter referred to as "Swart") in view of U.S. Patent Application Publication No. 2006/0256130, issued to Gonzalez (hereinafter referred to as "Gonzalez"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites a compound contents element acquiring and transmitting step of, in each of said contents servers, acquiring a compound contents element in corresponding relation to said contents portion which is an object of the fetching instruction in said contents portion fetching instruction step, converting the acquired compound contents element in an encoding format for said portable terminal, and transmitting the acquired and converted compound contents element to said intermediate apparatus; a production step of, in said intermediate apparatus, combining said compound contents elements received from said contents servers according to time series based on instruction information from said management server thereby producing compound contents oriented to said portable terminal; and a delivery step of, in said management server, delivering said compound contents produced in said production step to said portable terminal. The Applicants respectfully submit

that neither of the cited references, taken either alone or in combination, discloses or suggests at least these features of claim 1.

The Examiner alleged several features of Swart as being similar to the recited features of claim 1, most of which are not valid especially in light of the amendments to claim 1. The Examiner also acknowledged that Swart does not disclose combining compound content elements according to time series, but alleged that Gonzalez discloses such a combination according to time series.

The Applicants respectfully submit, however, that Gonzalez merely discloses a multimedia publishing system for wireless devices which includes a database server 102, an application server 104, a presentation server 106, and a media player of a wireless client device 108 (Figure 1). The application server 104 is responsible for encoding, transcoding, resizing, refactoring, and reformatting the media objects for delivery by the presentation server 106, and provides content to the presentation server 106 in the correct format and time sequence. The presentation server 106 then compiles application data from the application server 104. The Applicants respectfully submit that this is in direct contrast to the recited features of a compound contents element acquiring and transmitting step of, in each of said contents servers, acquiring a compound contents element in corresponding relation to said contents portion which is an object of the fetching instruction in said contents portion fetching instruction step, converting the acquired compound contents element in an encoding format for said portable terminal, and transmitting the acquired and converted compound contents element to said intermediate apparatus; a production step of, in said intermediate apparatus, combining said compound contents elements received from said contents servers according to time series based on instruction information from said management server thereby producing compound contents oriented to said portable terminal; and a delivery step of, in said management server, delivering said compound contents produced in said production step to said portable terminal.

Claims 2-13 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by Swart and Gonzalez. Therefore, it is respectfully submitted that claims 2-13 also patentably distinguish over Swart and Gonzalez.

Independent claim 14 of the present application, as amended, recites similar features to those discussed above in regard to claim 1, and which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claim 14 also patentably distinguishes over the cited references.

Claims 15-17 depend from claim 14 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 15-17 also patentably distinguish over the cited references.

Summary

In accordance with the foregoing, claims 1, 2, and 14 have been amended. No new matter has been presented. Thus, claims 1-17 are pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: December 31, 2008

By: Thomas L. Jones
Thomas L. Jones
Registration No. 53,908

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501